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<b>Notice of Allowability</b>	Application No.	Applicant(s)	
	10/693,977	SILVERBROOK, KIA	
	Examiner	Art Unit	
	Eric B. Chen	1765	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 2 January 2006.
2. ☒ The allowed claim(s) is/are 1-6.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☒ Certified copies of the priority documents have been received in Application No. 09/112,767.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |  |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment                               |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|   | 9. <input type="checkbox"/> Other _____.   |

**NADINE G. NORTON**  
**SUPERVISORY PATENT EXAMINER**  


### REASONS FOR ALLOWANCE

1. Claims 1-6 are allowed.
2. The following is an examiner's statement of reasons for allowance: the prior art the prior art fails to teach or suggest all the elements of claim 1. The closest prior art, Choi, discloses a method of fabricating an inkjet printhead chip for an inkjet printhead (column 1, lines 6-14), the inkjet printhead chip having a wafer substrate (100) (column 3, lines 48-49; Figure 5) that incorporates drive circuitry (column 4, lines 56-65) and defines a plurality of ink inlet channels and nozzle arrangements (column 3, lines 66-67; column 4, lines 1-2; Figure 5) that each have a passive nozzle chamber structure that extends from the wafer substrate and bounds a respective ink inlet channel (120/112) (Figure 8; column 4, lines 21-26), a dynamic nozzle chamber structure (111) that, together with the passive structure (120), defines a nozzle chamber (120/111), and has a roof that defines the ink ejection port (column 4, lines 12-19), the dynamic structure (111) being displaceable towards the wafer substrate into an actuated position and away from the wafer substrate into a rest position (Figures 9A-9B) such that a drop of ink (101) can be ejected from the ink ejection port (112) (column 5, lines 42-61), and an elongate micro-electromechanical actuator connected between the wafer substrate and the dynamic structure, the actuator including a beam assembly that has an active beam of a conductive material (300), capable of thermal expansion (column 5, lines 6-11). However, Choi does not teach or suggest the remaining elements of Applicant's claim 1.
3. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

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accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Response to Arguments***

4. Applicant's arguments (Applicant's Remarks, pages 2-3), filed Jan. 2, 2006, with respect to the rejection of claims 1-6 under 35 U.S.C. 112, first paragraph as being non-enabling have been fully considered and are persuasive. Applicant has pointed to the portions in the Specification that enable structural features, such as drive circuitry, a plurality of ink inlet channels and nozzle arrangements, a passive nozzle chamber structure, a dynamic nozzle chamber structure, and an elongate micro-electromechanical actuator in Applicant's Remarks (pages 3-5), filed Sept. 19, 2005. The rejection of claims 1-6 has been withdrawn.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eric B. Chen whose telephone number is (571) 272-2947. The examiner can normally be reached on Monday through Friday, 8AM to 4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nadine G. Norton can be reached on (571) 272-1465. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

EBC

Jan. 11, 2006

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